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20 *Attorneys for Defendant James P. Doran*

21 UNITED STATES DISTRICT COURT

22 DISTRICT OF NEVADA

23 BROOK M. HURD, GERALDINE C. HURD,
AND M.H., A MINOR, BY AND THROUGH
HER GUARDIAN AD LITEM, BROOK M.
HURD; LUIS O. VILLALOBOS; OLIVIA N.
ESPINOZA; AND L.M.V., A MINOR, BY AND
THROUGH HIS GUARDIAN AD LITEM
OLIVIA N. ESPINOZA;

24 Plaintiffs,

25 v.

26 CLARK COUNTY SCHOOL DISTRICT,
JAMES P. DORAN, SHAWN PAQUETTE,
AND KRISTY KELLER

27 Defendants.

28 Case No. 2:16-cv-02011-GMN-NJK

29
30 **STIPULATION AND
[PROPOSED] ORDER TO MODIFY THE
SCHEDULING ORDER**

31
32 **[THIRD REQUEST]**

1 IT IS HEREBY STIPULATED by and between the parties to the above-entitled action
2 that:

3 **STIPULATION FOR EXTENSION OF THE EXPERT DISCOVERY DEADLINES**

4 **AS DESCRIBED BELOW:**

5 **Written Discovery:**

6 This stipulation does not extend any deadlines as to written discovery.

7 **30(b)(6) Witness Deposition Discovery:**

8 This stipulation requests a brief extension of the current deadline to complete 30(b)(6)
9 witness depositions only, until March 19, 2018.

10 **Expert Discovery:**

11 This stipulation requests an extension of the current deadline to complete expert
12 discovery, until April 30, 2018.

13 **EXPLANATION:**

14 **30(b)(6) Depositions:**

15 On January 30, 2018 this Court issued an order granting Plaintiff's request to take
16 additional lay depositions, denying in part and granting in part Defendants' motion for a
17 protective order to limit the 30(b)(6) depositions previously noticed by Plaintiffs, and
18 extending the deadline to complete lay witness depositions until March 1, 2018. The parties have
19 diligently worked to complete the depositions within the allotted time. All lay witness
20 depositions have been completed by the current deadline. However, the Defendants were unable
21 to schedule the depositions of all the 30(b)(6) witnesses within the allotted time due to
22 unavoidable conflicts. The parties agree that failure to schedule the depositions of these
23 witnesses prior to cut-off was not due to a lack of diligence by any party.

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1 **Expert Discovery:**

2 Plaintiffs' disclosed experts with reports on December 15, 2017. Defendants' each
3 disclosed rebuttal experts, with reports, on January 22, 2018. The parties have completed
4 extensive additional depositions subsequent to the initial expert designation deadline.
5 Specifically, **nineteen** depositions were taken by the parties in the time between the expert report
6 deadline for initial reports and the current date and an additional seven 30(b)(6) deposition
7 categories are scheduled. Plaintiffs assert that the testimony taken at these depositions is
8 relevant to the opinions expressed by the experts in their expert reports. As such, Plaintiffs
9 intend to supplement the expert reports to reflect the additional testimony and any additional
10 opinions (if any) the expert may have formed after reviewing the testimony. Defendants reserve
11 the right to file supplemental reports after receipt of Plaintiffs' supplements if deemed necessary.

12 The parties request that the Court allow a brief extension of the expert discovery deadline
13 which will provide Plaintiffs' experts the opportunity to review the completed deposition
14 transcripts of the depositions taken subsequent to the drafting of the initial reports and, if
15 necessary, to prepare supplement reports reflecting this new information. This extension will
16 also provide Defendants' rebuttal experts an opportunity to review the supplemental reports and
17 in turn supplement their own reports if necessary. Finally, the extension will facilitate the
18 orderly and economical taking of expert depositions. The parties have agreed to hold off on
19 taking any expert depositions until after the supplemental reports are produced in order to avoid
20 the unnecessary expense of potentially needing to depose the same experts on multiple
21 occasions.

22 Current Deposition Schedule Status is as follows:

23 2/26/18 Deposition of Kristy Keller was completed
24 2/27/18 30(b)(6) deposition of Cathy Scott, re 16 30(b)(6) categories completed
25 2/27/18 Deposition of Amy Dinkleman was completed
26 2/28/18 Continued deposition of Michael Hollis was completed
27 2/28/18 30(b)(6) deposition of Meg Nigro, re 4 categories completed
28 3/01/18 30(b)(6) deposition of John Schleifer, re 1 category (deposition designated in

lieu of deposition)

3/01/18 30(b)(6) deposition of Shawn Paquette, re 7 categories (deposition designated in lieu of deposition for 2 additional categories)

3/01/18 30(b)(6) deposition of Cesar Zuluaga re 1 category (rescheduled at Plaintiffs' request)

3/09/18 30(b)(6) deposition of Okazaki, re 4 categories

TBD 30(b)(6) deposition Designee re Category 32

TBD 30(b)(6) deposition of Designee re Category 5.

PROPOSED NEW DEADLINES

Based on the foregoing, the parties request a modification of the discovery deadlines as to lay depositions only as follows:

1. Current Deadlines:

L/D to Complete Fact Witness Depositions:	March 1, 2018
Expert Discovery cut-off date:	March 31, 2018
Dispositive motion deadline:	April 13, 2018
Proposed joint pretrial order	May 14, 2018 or 30 days after the Court rules on any dispositive motions.

2. Proposed Deadlines:

L/D to Complete 30(b)(6) Witness Depositions: March 19, 2018

**Supplemental Expert Reports
(for Plaintiffs designated experts):** April 13, 2018

**Supplemental Rebuttal Expert Report
(for Defendants' designated Rebuttal Reports): April 27, 2018**

Completion of Expert Depositions: **May 25, 2018**

Dispositive motion deadline: **June 22, 2018**

Proposed joint pretrial order:	The later of July 27, 2018 or 30 days after the Court rules on any dispositive motions.
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1 Date: March 2, 2018

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4 PETER W. ALFERT
IAN A. HANSEN
5 Attorneys for Plaintiff

6 Date: March 2, 2018

LAW OFFICES OF MARIANNE C. LANUTI

7 By: s/ Marianne C. Lanuti
8 MARIANNE C. LANUTI
9 Attorneys for Plaintiff

10 Date: March 2, 2018

GREENBERG TRAURIG

11 By: s/ Kara B. Hendricks
12 KARA B. HENDRICKS
13 Attorneys for Defendants Clark County School
District, Shawn Paquette, and Kristy Keller

14 Date: March 2, 2018

HATFIELD & ASSOCIATES

15 By: s/ Trevor J. Hatfield
16 TREVOR J. HATFIELD
17 Attorneys for James P. DORAN

18 Date: March 2, 2018

HALL, JAFFE & CLAYTON LLP

19 By: s/ Michelle R. Schwarz
20 STEVEN T. JAFFE
MICHELLE R. SCHWARZ
21 Attorneys for Defendants Clark County School
District, Shawn Paquette, and Kristy Keller

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[PROPOSED] ORDER

IT IS HEREBY ORDERED that the Court's scheduling order is modified as follows:

L/D to Complete 30(b)(6) Witness Depositions: March 19, 2018

**Supplemental Expert Reports
(for Plaintiffs designated experts):** April 13, 2018

**Supplemental Rebuttal Expert Report
(for Defendants' designated Rebuttal Reports): April 27, 2018**

Completion of Expert Depositions: **May 25, 2018**

Dispositive motion deadline: June 22, 2018

Proposed joint pretrial order:	The later of July 27, 2018 or 30 days after the Court rules on any dispositive motions.
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Dated: March 7, 2018

Terry A. Tees
UNITED STATES MAGISTRATE JUDGE